

## Amendments

### In the Claims

3. (Amended) [The apparatus of claim 2 wherein the means for indicating is] An apparatus for guiding the movement of a surgical tool in relation to the anatomy of a patient, the tool having at tool reference frame, the apparatus comprising:

means mounted to the tool for indicating to a human the difference between the actual and desired positions of the tool, wherein the difference is indicated with respect to the tool reference frame; and

means for determining an actual position of the means for indicating.

17. (Twice Amended) An apparatus comprising:

a surgical tool having a tool reference frame;

means for communicating an actual position of the tool to an image guided surgery system;

at least one position indicator mounted to the tool, the at least one indicator providing to a human operator an indication of the direction in which the tool should be moved to reach a desired position.

27. (Twice amended) [The apparatus of claim 26] A method for guiding the movement of a surgical tool with respect to the anatomy of a patient having a patient reference frame, the method comprising the steps of:

determining a desired position of the tool based on an image of the anatomy of a patient, the image having an image reference frame;

determining a direction the tool must be moved to reach the desired position;

determining an actual position of a position indicator having an indicator reference frame.

wherein the [the] position indicator is mounted to the tool and the step of determining an actual position of the position indicator includes determining an actual position of the tool; and

utilizing the position indicator to indicate to a human the direction in which the tool must be moved to reach the desired position, said indication being provided in relation to the indicator reference frame.

30. (Twice amended) [The method of claim 26] A method for guiding the movement of a surgical tool with respect to the anatomy of a patient having a patient reference frame, the method comprising the steps of:

determining a desired position of the tool based on an image of the anatomy of a patient, the image having an image reference frame;

determining a direction the tool must be moved to reach the desired position;

determining an actual position of a position indicator having an indicator reference frame, wherein the position indicator is mounted to the tool and the position indicator comprises at least one indicator for indicating a direction in which the tool must be moved to reach a desired location and at least one indicator for indicating a direction in which the tool must be moved to reach a desired orientation; and

utilizing the position indicator to indicate to a human the direction in which the tool must be moved to reach the desired position, said indication being provided in relation to the indicator reference frame.

#### Remarks

Claims 1, 2, 4-15, 26, 28, 31, and 33-35 stand rejected under 35 U.S.C. 102(e) as anticipated by Barrick. Claims 17, 29-23, and 25 stand rejected under 35 U.S.C. 102(b) as anticipated by Cartmell. Claim 16 stands rejected 35 U.S.C. 103(a) as unpatentable over Barrick in view of Bucholz. Claim 29 stands rejected under 35 U.S.C. 103(a) as unpatentable over Barrick.